

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN RITCHIE, individually and d/b/a
VIOLENT FEMMES,

Plaintiff,

-v-

GORDON GANO, individually and d/b/a GORNO
MUSIC a/k/a GORNO MUSIC (ASCAP) a/k/a
GORNO MUSIC PUBLISHING,

Defendants.

No. 07-CIV-7269 (VM)

**PLAINTIFF'S EMERGENCY
MOTION TO DISQUALIFY
OPPOSING COUNSEL**

TO THE HONORABLE JAMES C. FRANCIS:

Pursuant to Local Civil Rule 1.4 of the Southern and Eastern Districts of New York, Plaintiff Brian Ritchie, individually and d/b/a Violent Femmes ("Plaintiff"), by and through his undersigned attorneys, moves the Court for an order to disqualify Robert S. Meloni and his law firms, Meloni & McCaffrey, P.C. and Robert S. Meloni, P.C., from further representation of Defendant Gordon Gano, individually and d/b/a Gorno Music a/k/a Gorno Music (ASCAP) a/k/a Gorno Music Publishing ("Defendant"), in this suit. The grounds for disqualifying opposing counsel include: (a) successive conflicts of interest; (b) concurrent conflicts of interest; (c) the witness-advocate rule; and (d) Robert S. Meloni is not currently qualified to practice before this Court.

This motion is based on the pleadings and papers on file in this case, as well as the attached Memorandum in Support of Plaintiff's Motion to Disqualify Opposing Counsel, the exhibits attached thereto, the pleadings and all other evidence on file.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: :/s/ Emilio B. Nicolas

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ATTORNEYS FOR BRIAN RITCHIE,
individually and d/b/a VIOLENT FEMMES

CERTIFICATE OF SERVICE

This is to certify that on this 20th day of June, 2008, a true and correct copy of the foregoing document was served by e-mail upon the following counsel of record:

Robert S. Meloni
Thomas P. McCaffrey
MELONI & McCAFFREY, P.C.
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ATTORNEYS FOR DEFENDANT GORDON
GANO, individually and d/b/a GORNO MUSIC
a/k/a GORNO MUSIC (ASCAP) a/k/a GORNO
MUSIC PUBLISHING

:/s/ Emilio B. Nicolas

Emilio B. Nicolas